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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Docket No. 439300)

In re the Application of: )  
David S. Utterberg )  
Serial No.: 10/062,570 ) Art Unit: 3763  
Filed: February 5, 2002 ) Examiner: Thissell, Jeremy  
For: BLOOD SET PRIMING METHOD )  
AND APPARATUS )  
TO: MAIL STOP: FEE AMENDMENT )  
Commissioner for Patents )  
P.O. Box 1450 )  
Alexandria, Virginia 22313-1450 )

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TERMINAL DISCLAIMER

Dear Sir:

The owner, DSU Medical Corporation, of a 100% interest in the instant application cited above, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond September 23, 2016, which is the expiration date of the full statutory term defined in 35 U.S.C. 154-156 and 173 of prior Patent No. 6,387,069. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application, and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, DSU Medical Corporation does not disclaim the terminal part of any term of any patent granted on the instant application that would extend to September 23, 2016, which is the expiration date of said full statutory term of

prior Patent No. 6,387,069, in the event that the prior Patent No. 6,387,069 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, or terminally disclaimed under 37 C.F.R. 1.321; has all claims cancelled by a re-examination certificate; is reissued; or is any manner terminated prior to the expiration of its full, statutory term.

The undersigned is an attorney of record.

The Terminal Disclaimer fee of \$110.00 for a large entity is enclosed by check.

Please charge Deposit Account No. 19-1351 for any added fees that may be required.

Respectfully submitted,

SEYFARTH SHAW LLP

  
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop: Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 30, 2004.

  
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Registered Attorney for Applicant  
Date: June 30, 2004